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October 16, 2023

Via CM/ECF

The Honorable P. Kevin Castel
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007-1312

Re: *In re Google Digital Advertising Antitrust Litigation*, No. 1:21-md-03010 (PKC),
related case: *Gannett Co., Inc. v. Google LLC*, No. 1:23-cv-05177 (PKC)

Dear Judge Castel:

Undersigned counsel for plaintiff Gannett Co., Inc. write to seek leave to file an amended opposition to Google's partial motion to dismiss Gannett's complaint. Google's partial motion to dismiss is filed at ECF No. 24, and Gannett's original opposition is filed at ECF No. 27, both on the above-captioned *Gannett* docket. Pursuant to Your Honor's Individual Practices, there is no conference currently scheduled in this matter.

The amended opposition addresses the relevance of additional publisher class complaints that also toll Gannett's claims under *American Pipe*. Although Gannett believes, as stated in the opposition, that the exact damages period is a fact-bound question that need not be resolved on a motion to dismiss, Gannett did not want to leave the record unclear. Attached to this letter are the amended opposition (Ex. A) and a redline showing changes against the original opposition (Ex. B).

Google's reply is currently due October 20, 2023. *See* ECF No. 18. In light of Gannett's request, Gannett would propose that Google be given a one-week extension, until October 27, 2023, to file its reply to the amended opposition.

Counsel for Gannett and Google have conferred, and Google does not oppose Gannett's request, provided that Google receive an extension until October 27 to file its reply.

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Respectfully submitted,

Date: October 16, 2023

/s/ John Thorne

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cc: All Counsel of Record (via CM/ECF)